

REMARKS

Claims 1-7, 9-23 and 25-34 are pending in the instant application. Claims 1-7, 9-23 and 25-34 have been rejected under 35 USC 103(a). Claims 8 and 24 have been cancelled. Claims 1, 3-5, 17, 19-21, 33, and 34 have been amended. Applicants submit that all pending claims in the instant application are in condition for allowance and request reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Support for Amendments

Support for amended claims 1, 3-5, 17, and 19-21 can be found in the application as originally filed, for example, at pg. 12, lines 19-24 and FIG. 2, steps 204 and 206.

Claim Rejections Under 35 USC § 103

Claims 1-2, 6-7, 9-10, 13-18, 22-23, 25-26, and 29-32 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 6,006,196 to Feigin et al. in view of U.S. Statutory Invention Registration No. H1743 to Graves et al. Claims 3-5, 11-12, 19-21, 27-28, and 33-34 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 6,006,196 to Feigin et al. and U.S. Statutory Invention Registration No. H1743 to Graves et al as applied to claims 1 and 17, and further in view of U.S. Patent Application Publication No. 2002/0072986 to Aram.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

Claims 1 and 17, as amended, recite *inter alia* “selecting a search criteria for

determining projected days of supply; and extracting current data related to said search criteria, the current data including supplier commitment data”. Feigin, Graves, and Aram, alone or in combination, fail to teach or make obvious the features recited in Applicants’ claims 1 and 17. The Examiner concedes that the combination of Feigin and Graves “does not explicitly disclose providing a search criteria including a part number identifying the stock item (Claims 3 and 19); part name identifying the stock item (Claims 4 and 20); part description identifying the stock item (Claims 5 and 21)”. Applicants respectfully submit that contrary to the Examiner’s assertion, including Aram does not cure the defect. Aram teaches an electronic procurement system. The only reference to a search in Aram is in paragraph [0167], which states, “[t]he order entry web page may also offer other functions, such as a search for parts when an exact part number is not known.” The search in Aram refers to a customer searching for a part while attempting to order a part, which is not in any way equivalent to **“selecting a search criteria for determining projected days of supply”**, as recited in claims 1 and 17. Moreover, Feigin, Graves, and Aram, alone or in combination, fail to teach or make obvious **“extracting current data related to said search criteria, the current data including supplier commitment data”**, as recited in claims 1 and 17. Furthermore, Applicants respectfully assert that there is no express or implied reference to a part name anywhere within Aram, as recited in claims 4 and 20. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections. For at least these reasons, Applicants submit that claims 1, 4, 17, and 20 are in condition for allowance.

Regarding claims 33, and 34, the Examiner alleges that the combination of Feigin, Graves, and Aram discloses the claimed invention, performing the calculation as recited in the claims. Applicants respectfully submit that merely citing Feigin’s objective of projecting quantities for the product and location of interest for all future periods is insufficient to render the claims obvious. The references, alone or in combination, fail to teach or suggest each and every element of the claimed invention; therefore, the Examiner has not met the burden of properly establishing a *prima facie* case of obviousness. Accordingly, Applicants respectfully request reconsideration and withdrawal of these rejections. For at least these reasons, Applicants further submit that claims 33 and 34 are in condition for allowance.

Claims 2-7, 9-16 and 33 depend from what should be an allowable claim 1. Claims 18-23, 25-32 and 34 depend from what should be an allowable claim 17. For at least these reasons, Applicants submit that claims 2-7, 9-16, 18-23, and 25-34 are in condition for allowance and respectfully request reconsideration and withdrawal of the rejections.

CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited references neither anticipate nor render obvious that which Applicants deem to be the invention, it is respectfully requested that claims 1-7, 9-23 and 25-34 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 50-0510.

Respectfully submitted,
ROBERTO AYALA, ET AL.

CANTOR COLBURN LLP
Applicants' Attorneys

By Marisa J. Dubuc
Marisa J. Dubuc
Registration No. 46,673
Customer No. 48915

Date: January 19, 2007
Address: 55 Griffin Road South
Bloomfield, CT 06002
Telephone: (860) 286-2929
Fax: (860) 286-0115